

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

DAVID PAUL WOLF, #468145 §
VS. § CIVIL ACTION NO. 6:11cv255
N. WEBB, ET AL. §

ORDER OF PARTIAL DISMISSAL

Plaintiff David Paul Wolf, a prisoner confined in the Texas prison system, proceeding *pro se* and *in forma pauperis*, filed the above-styled and numbered civil lawsuit. The complaint was referred to United States Magistrate Judge John D. Love, who issued a Report and Recommendation (docket entry #14) concerning the disposition of the lawsuit. The Plaintiff has filed objections (docket entry #21).

The Report of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and having made a *de novo* review of the objections raised by the Plaintiff, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections by the Plaintiff are without merit. Therefore the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court. It is accordingly

ORDERED that the Plaintiff may proceed with his retaliation, deliberate indifference to serious medical needs, excessive use of force and Americans with Disabilities Act claims against Defendants Black, Sims, Owen and Kazmierczak. It is further

ORDERED that the Plaintiff's remaining claims are **DISMISSED** with prejudice pursuant to 28 U.S.C. § 1915A(b)(1).

So ORDERED and SIGNED this 6th day of September, 2011.

A handwritten signature in black ink, appearing to read "LEONARD DAVIS".

**LEONARD DAVIS
UNITED STATES DISTRICT JUDGE**